

[Doc. No. 188]

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

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ROBERT J. COSTA, JR., et al.,

Plaintiffs,

v.

COUNTY OF BURLINGTON, et al.,

Defendants.

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Civil No. 07-904-JEI-JS

**O R D E R**

This matter is before the Court on the Motion for On-Site Inspection [Doc. No. 188] filed by plaintiff; and the Court receiving the opposition of defendants County of Burlington and Warden Juel Cole (hereinafter "defendants") [Doc. No. 196]; and the Court conducting oral argument on July 28, 2009; and good cause existing for the entry of this Order; and for all the reasons stated in detail on the record on July 28, 2009,

IT IS HEREBY ORDERED this 5th day of August, 2009, that plaintiff's motion is GRANTED in part and DENIED in part; and

IT IS FURTHER ORDERED that plaintiff's counsel, Martha Sperling, Esquire, and plaintiff's expert, Dr. Leon Vinci, shall be permitted to inspect the two cells where the decedent, Angel Costa, was housed at the Burlington County Work Release Center ("BCWRC") (H1 or 4 and G107). They shall also be permitted to take measurements and photographs (no videotaping) of the interior of

the cells. To the extent feasible, defendants shall place in the cells a bed similar to that in place when the decedent was housed at the BCWRC. The inspection shall be completed by September 11, 2009; and

IT IS FURTHER ORDERED that by September 11, 2009, defendants shall serve plaintiff with the dimensions of the "Day Room" and the BCWRC cells that housed the decedent; and

IT IS FURTHER ORDERED that in connection with plaintiff's inspection Ms. Sperling and Dr. Vinci shall follow the same procedures ordinarily used for visitors at the BCWRC including, but not limited to, the execution of appropriate documents necessary for the inspection; and

IT IS FURTHER ORDERED that if the Warden of the BCWRC determines in good faith that compliance with this Order will cause a substantial or serious security risk, then the Court shall be immediately informed and served with a supporting affidavit; and

IT IS FURTHER ORDERED that the remainder of the discovery requests in plaintiff's motion are DENIED.

s/Joel Schneider  
JOEL SCHNEIDER  
United States Magistrate Judge